

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff

ORDER

v.

14-cr-128-jdp

DENNIS M. FRANKLIN,

Defendant.

On September 28, 2015, defendant Dennis M. Franklin filed a handwritten letter claiming that appointed attorney number 2, Peter Bartelt, had mishandled a matter involving potentially exculpatory information, such that Franklin no longer trusted Bartelt and could not work with him. (Dkt. 40). Although Attorney Bartelt is blameless here, the court sees no palatable option at this juncture other than to excuse Attorney Bartelt from this case and to direct the Federal Defender to appoint a third—and final—attorney to defend Franklin in this prosecution. The existing schedule is stricken and will be reset after a new attorney has appeared on Franklin’s behalf.

The court held an ex parte hearing on October 2, 2015 at which both Franklin and Attorney Bartelt gave their versions of events. [REDACTED]

A series of nine horizontal black bars of varying lengths, decreasing in length from top to bottom. The bars are evenly spaced and extend across the width of the frame.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The federal defender is directed to appoint a third, final attorney to represent Franklin at trial. Franklin is warned that if he cannot maintain a viable attorney-client relationship with *this* attorney, then the court will deem this a constructive decision to proceed pro se, and Franklin will represent himself at trial. This is an outcome the court very much wants to avoid, so I urge Franklin to loosen up and give his attorney the opportunity to defend him without being constantly second guessed and criticized.

Entered this 2nd day of October, 2015.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge